

REMARKS

Claims 1-11 have been previously canceled, claims 12, 21-23 and 25 are currently amended and no new claims have been added. Thus, claims 12-28 are currently pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Objections:

Objections to the Drawings:

The Examiner has objected to the drawings indicating the figures 3 and 4 appear to be duplicates. Applicant respectfully clarifies that the difference between figures 3 and 4 is that in figure 4 the corner between the groove 31 and the end face 30 is displaced representing "...the calking of the circumferential groove 31...." (Spec. Para. 0040).

The Examiner has objected to Elements 21 and 25, and 22 and 26 of figures 1, 3 and 4 as indicating the same element. Applicant respectfully clarifies that item 21 is an individual guide blade platform (Spec. Para. 0026) and item 25 is a complete guide blade platform ring formed from individual guide blade platforms 21 (Spec. Para. 0026). Furthermore, item 22 is an individual guide ring segment (Spec. Para. 0026) and item 26 is a complete guide ring formed by the guide ring segments 22 (Spec. Para. 0029).

The Examiner has objected to elements 34 and 35 in figures 1, 3, and 4, contending that they are inconsistent with the previously used labeling scheme. Applicant respectfully submits that the items 34 and 35 refer to the ends of the spring element 24. Item 35 refers to the free end of the spring which is opposite the first end 34 of the spring element 24. (Spec. Para. 0041 and fig. 1, 3 and 4).

Objections to the Specification:

The Examiner has objected to the specification for failure to address figure 4 in the brief description to the drawings. Applicant has amended the specification to properly address figure 4 in the brief description to the drawings.

The Examiner has objected to the specification for use of the term bearing surface 32, in page 7, paragraph 31. Applicant respectfully submits that the Applicant can be his own lexicographer and has not used any terms that are inconsistent with their traditional meaning.

Applicant has consistently identified item 32 in the specification as the "bearing surface" owing to the fact that the free end of spring element 24 bears upon the surface 32. Furthermore, item 33, counter part to item 32, is identified as "annular supporting surface" due to the fact that the surface 33 together with the "circumferential groove" 31 support the spring element 24.

The Examiner has objected to paragraph 0017 of the specification. Applicant has amended paragraph 0017 to resolve any issue.

Objections to claims 12, 21 and 22:

Applicant has amended claims 12, 21, 22 and 23 to correct the misspelling of the word "groove."

Applicant has resolved the issues with the drawings, specification and claims. Applicant respectfully requests the Examiner to withdraw the objections presented in Office Action.

Response to Rejections Under Section 112:

The Examiner has rejected claims 12-20 under 35 U.S.C. § 112, second paragraph for failing to particularly point out and distinctly claim the subject matter that Applicant regards as his claim. Applicant has amended claim 12 to resolve any antecedent issues. Applicant respectfully request the Examiner withdraw the 35 U.S.C. § 112, second paragraph rejections.

Response to Rejections Under Section 102:

Claims 12-15 and 18-28 stand rejected under 35 U.S.C § 102(e), the Examiner contending that these claims are anticipated by Morgan et al (USPN 6,464,457).

Applicant's Claim 12 recites:

a spring element arranged to seal the annular gap from the hot working medium having a first end, a second end and a spring region arranged between the first and second ends, the first end secured in a circumferential groove ... wherein a width of the circumferential groove is smaller than a width of the spring element first end to provide a secure retention of the spring element in the circumferential groove.

Applicant submits that Morgan et al. teaches a leaf seal assembly 33 comprised of a leaf seal 52 and a leaf spring 56 that must be secured by a mounting pin 78 in order for the leaf seal assembly to function. (Morgan et al. fig. 3-5)

In contrast, claim 12 recites a single element spring seal secured in a circumferential groove via interference and not a seal assembly formed of separate spring and seal elements secured by a pin as in Morgan et al.

MPEP § 2131 requires, "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM." As discussed above, claim 12 does not teach a spring element secured in a circumferential groove via interference. Claims 21 and 25 recite similar patentable elements as discussed regarding claim 12.

In view of the above, claims 12, 21 and 25 are not anticipated by Morgan et al. Furthermore, Claims 13-15, 18-20 and 22-28 which depend on claims 12, 21 or 25 are also patentable at least based on their dependence from claims 12, 21 or 25 as well as based on their own merits. Therefore, Applicant respectfully requests that the Examiner withdraw the Section 102 rejections.

Response to Rejections Under Section 103:

Claims 16 and 17 stand rejected under 35 U.S.C § 103(a) as being obvious over Morgan et al. For at least the reasons discussed in connection with the Section 102 rejections, Applicant respectfully submits that claims 16 and 17 are patentable at least based on their dependence from claim 12 as well as based on their own merits and respectfully request the Examiner to withdraw the Section 103 rejection.

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Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present claims. All correspondence should continue to be directed to our below-listed address. Accordingly, Applicant respectfully requests that the Examiner reconsider the objections and rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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